

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID SCOTT,

Plaintiff,

vs.

MENARD, INC., a Corporation;

Defendant.

**8:15CV127**

**ORDER**

After conferring with counsel, their oral motion to continue is granted, and the case progression schedule is amended as follows:

- 1) The jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in the Special Proceedings Courtroom, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on September 26, 2016, or as soon thereafter as the case may be called, for a duration of three (3) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on September 13, 2016 at 9:00 a.m., and will be conducted by WebEx conferencing. The instructions and codes for participating in the pretrial conference by WebEx will be filed in a separate text order. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on September 12, 2016.
- 3) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is March 21, 2016. Motions to compel Rule 33 through 36 discovery must be filed by April 4, 2016 **Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 4) The deadlines for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): February 16, 2016.

For the defendant(s): April 1, 2016.

- 5) The deposition deadline is May 2, 2016.
- 6) The deadline for filing motions to dismiss and motions for summary judgment is June 1, 2016.<sup>1</sup>
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 1, 2016.

January 19, 2016.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.